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TMH/KMM 6616-72626-01 482799.doc 02/03/06 EP03-008C-US

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PLEASE DELIVER DIRECTLY TO EXAMINER**Fax No.:** 571-273-8300**Total No. Pages:** 15 including this cover sheet**Message:** Transmitted herewith for filing in the below-identified application is an Amendment and Response to Restriction Requirement. If you do not receive all pages or if you have problems receiving transmittal, please call Tanya M. Harding, Ph.D. at (503) 595-5300. The fee (large entity) has been calculated as shown below.**In re application of:** Clendennen *et al.***Application No.** 10/633,279**Filed:** August 1, 2003**Confirmation No.** 3830**For:** SEED-ASSOCIATED PROMOTER
SEQUENCES**Examiner:** Cynthia E. Collins**Art Unit:** 1638**Attorney Reference No.** 6616-72626-01**CERTIFICATE OF FACSIMILE**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number 571-273-8300 on the date shown below.

Attorney or Agent
for Applicant(s)

Tanya M. Harding, Ph.D.

Date Transmitted February 3, 2006

FEE CALCULATION FOR CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	26	- 26	= 0	\$50.00	\$ 0.00
Indep. Claims	3	- 4	= 0	\$200.00	\$ 0.00
Two-month Extension of Time (1 month = \$120.00 2 months = \$450.00 3 months = 1,020.00)					\$450.00
TOTAL FEE FOR THIS AMENDMENT					\$450.00

- ☒ Applicants petition for an extension of time for two months, as indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ Please charge this fee and any additional fees that may be required in connection with filing of this Amendment and Response to Restriction Requirement, including any additional application size fee for pages in excess of 100 if such applies, to Deposit Account 02-4550.


 Tanya M. Harding, Ph.D.
 Registration No. 42,630

February 3, 2006

Date

cc: Docketing

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TMH/KMM:jam 02/03/06 480082 EP03-008C-US
PATENT

Attorney Reference Number 6616-72626-01
Application Number 10/633,279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Clendennen *et al.*

Application No.: 10/633,279

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Art Unit: 1638

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Attorney or Agent
for Applicant(s)

Tanya M. Harding, Ph.D.

Date Mailed

February 3, 2006

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AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

This Amendment and Response to Restriction Requirement ("Amendment") is filed in answer to the non-final Office action, dated November 3, 2005. A one-month period for response was set by the Office action. The accompanying transmittal includes a petition for a two-month extension of the period for response, and the Commissioner is authorized to take the requisite extension fee from the referenced deposit account, now making a response due on or before February 3, 2006. In the event that additional fees are due, authorization is also provided to charge such fees to the deposit account referenced on the accompanying transmittal letter.

Applicants elect Examiner's Group I, without traverse. Applicants elect SEQ ID NO:1 as the single nucleotide sequence, as required under 35 U.S.C. 121.

Please amend the specification as set forth beginning on page 2.

Please amend the claims as set forth in the Listing of Claims beginning on page 8.

Remarks begin on page 14 of this Amendment, and end with a brief Conclusion on page 13.

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